

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>DIANE TLUCEK FONT,</b>	)	<b>CASE NO. 1:14-cv-02805-DAP</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE DAN AARON POLSTER</b>
	)	
<b>vs.</b>	)	<b><u>ORDER ADOPTING REPORT</u></b>
	)	<b><u>AND RECOMMENDATION</u></b>
<b>COMMISSIONER OF SOCIAL SECURITY,</b>	)	
	)	
<b>Defendant.</b>	)	

Before the Court is the Report and Recommendation of Magistrate Judge George J. Limbert (“R & R”), Doc #. 21, which recommends that the Court reverse the ALJ’s decision and remand the matter.

Under the relevant statute,

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1). Here, Defendant timely filed a response indicating that she did not oppose the R & R. Doc #: 22.

The Court has reviewed the Magistrate Judge's R & R. The Court agrees with the Magistrate Judge that the ALJ's decision is not based on substantial evidence because the record was not taken as a whole. Accordingly, the Court **ADOPTS** the Magistrate Judge's R & R, Doc. # 21, in full, **REVERSES** the ALJ's decision, and **REMANDS** Plaintiff's case to the Social Security Administration for analysis of Plaintiff's atrial fibrillation and to proceed through the sequential evaluation based on that analysis.

**IT IS SO ORDERED.**

/s/ Dan A. Polster Feb. 17, 2016  
**DAN AARON POLSTER**  
**UNITED STATES DISTRICT JUDGE**